

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
GREENEVILLE DIVISION**

**B.P., H.A., and S.H. individually, and
on behalf of all others similarly situated,
Plaintiffs,**

v.

No: 2:23-cv-00071-TRM-JEM

CITY OF JOHNSON CITY, TENNESSEE, et al.,

Defendants.

_____ /

STATUS UPDATE ON BEHALF OF PLAINTIFFS

COME NOW Plaintiffs B.P., H.A., and S.H., individually and as proposed class representatives of all others similarly situated (“Plaintiffs”), through their undersigned counsel, who provide the following update pursuant to the Court’s corresponding July 24, 2024, Order [ECF 286].

NOTE: Plaintiffs filed a joint status report at ECF 289, with the understanding that Defendant Peters consented to the filing. His counsel has since stated that he did not give consent. Plaintiffs therefore submit this corrected report unilaterally, as the parties were unable to reach agreement on a joint submission.

(1) Exhibit 29

Plaintiffs have met and conferred with counsel in the *Dahl* litigation and Exhibit 29 [ECF 234] has now been de-designated and is attached hereto as Exhibit 29.

(2) Exhibit 15

Plaintiffs' Position: On July 19, 2024, Defendant Peters represented to the Court, "This Defendant requests that the Court order Plaintiffs to re-file the Exhibit 15 material with the additional redactions that Defendant requested concerning the non-party names, in order that they be consistent." ECF 279 at 2. Accordingly, following the Court's Order [ECF 286], Plaintiffs' counsel met and conferred with counsel for Defendant Peters to confirm that redacting the additional non-party names would enable Plaintiffs to file Exhibit 15 publicly. Counsel for Peters responded that this would not suffice, instead instructing Plaintiffs to "[r]edact the entirety of my client's answers (designated as confidential) to any response other than the ones at issue in your motion, plus the names of non-parties in your questions." Plaintiffs responded stating that this was contradictory to what Peters' counsel had represented to the Court in his filing [ECF 279], and requested counsel provide a basis for the wholesale sealing of portions of the document. Further meet and confers between counsel did not prove productive. Plaintiffs' counsel therefore presents both parties' positions in this joint filing.

Plaintiffs' position is that they will agree to redact any nonparty name from Exhibit 15, as well as any other personal identifying information of third parties, but do not agree that there is a basis to redact entire sections of the document which Peters asserts "do not relate to the motion." These redactions would also be inconsistent with how Plaintiffs' counsel has managed redactions of similar Interrogatory responses with all other Defendants in this case.

Respectfully Submitted on July 26, 2024.

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/s/ Elizabeth Kramer

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CERTIFICATE OF SERVICE

I HEREBY certify that a copy of the foregoing has been filed and served via the court's electronic filing system on July 26, 2024 to counsel of record:

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/s/ Elizabeth A. Kramer

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